

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # SAC 2005-5W-358

September 29, 2006

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. Seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the State of South Carolina by

RICHARD H. FURMAN
35 SIRRINE DEIVE
GREENVILLE, SOUTH CAROLINA 29605

for a permit to place fill material in wetlands and other waters of the United States in and adjacent to

UNNAMED TRIBUTARY TO DURBIN CREEK

at a location south of Knighton Chapel Road, west of its intersection with South Carolina State Highway 101, Laurens County, South Carolina (Latitude 34.695879°N, Longitude 82.066839°W).

In order to give all interested parties an opportunity to express their views

N O T I C E

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, October 30, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 665 square feet or 0.015 acre of wetlands and other waters of the United States, and flooding 1854 square feet or 0.042 acre of wetlands and other waters of the United States. As stated by the applicant, the purpose of the work is to construct a recreational open water impoundment. At this time the applicant has not proposed compensatory mitigation to off set the permanent loss of wetlands and other waters of the United States.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards (Section 401 of the Clean Water Act). The District Engineer will not process this application to a conclusion until such certification is received. This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S. C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.057 acre of wetlands and other waters of the United States inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Leslie L. Parker at 803-253-3444.

EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc. (EDR). The report meets the government records search requirements of ASTM Standard Practice for Environmental Site Assessments, E 1527-00. Search distances are per ASTM standard or custom distances requested by the user.

TARGET PROPERTY INFORMATION

ADDRESS

HWY. 101/KNIGHTON CHAPEL ROAD
LAURENS COUNTY, SC 29644

COORDINATES

Latitude (North): 34.694200 - 34° 41' 39.1"
Longitude (West): 82.065400 - 82° 3' 55.4"
Universal Transverse Mercator: Zone 17
UTM X (Meters): 402415.9
UTM Y (Meters): 3839451.8
Elevation: 587 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property: 34082-F1 WOODRUFF, SC
Source: USGS 7.5 min quad index

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the ASTM E 1527-00 search radius around the target property for the following databases:

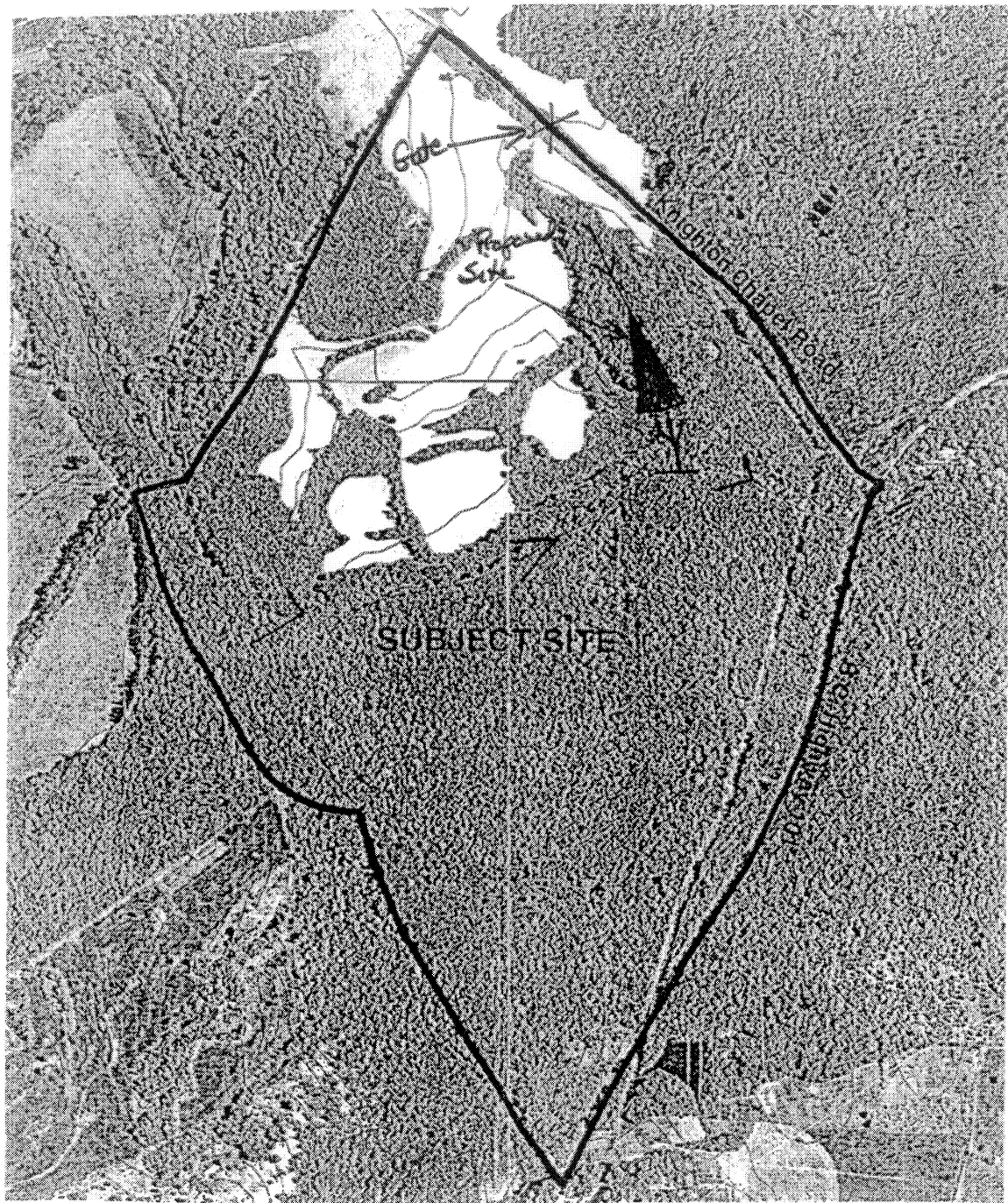
FEDERAL ASTM STANDARD

NPL..... National Priority List
Proposed NPL..... Proposed National Priority List Sites
CERCLIS..... Comprehensive Environmental Response, Compensation, and Liability Information System
CERC-NFRAP..... CERCLIS No Further Remedial Action Planned
CORRACTS..... Corrective Action Report
RCRA-TSDF..... Resource Conservation and Recovery Act Information
RCRA-LQG..... Resource Conservation and Recovery Act Information
RCRA-SQG..... Resource Conservation and Recovery Act Information
ERNS..... Emergency Response Notification System

STATE ASTM STANDARD

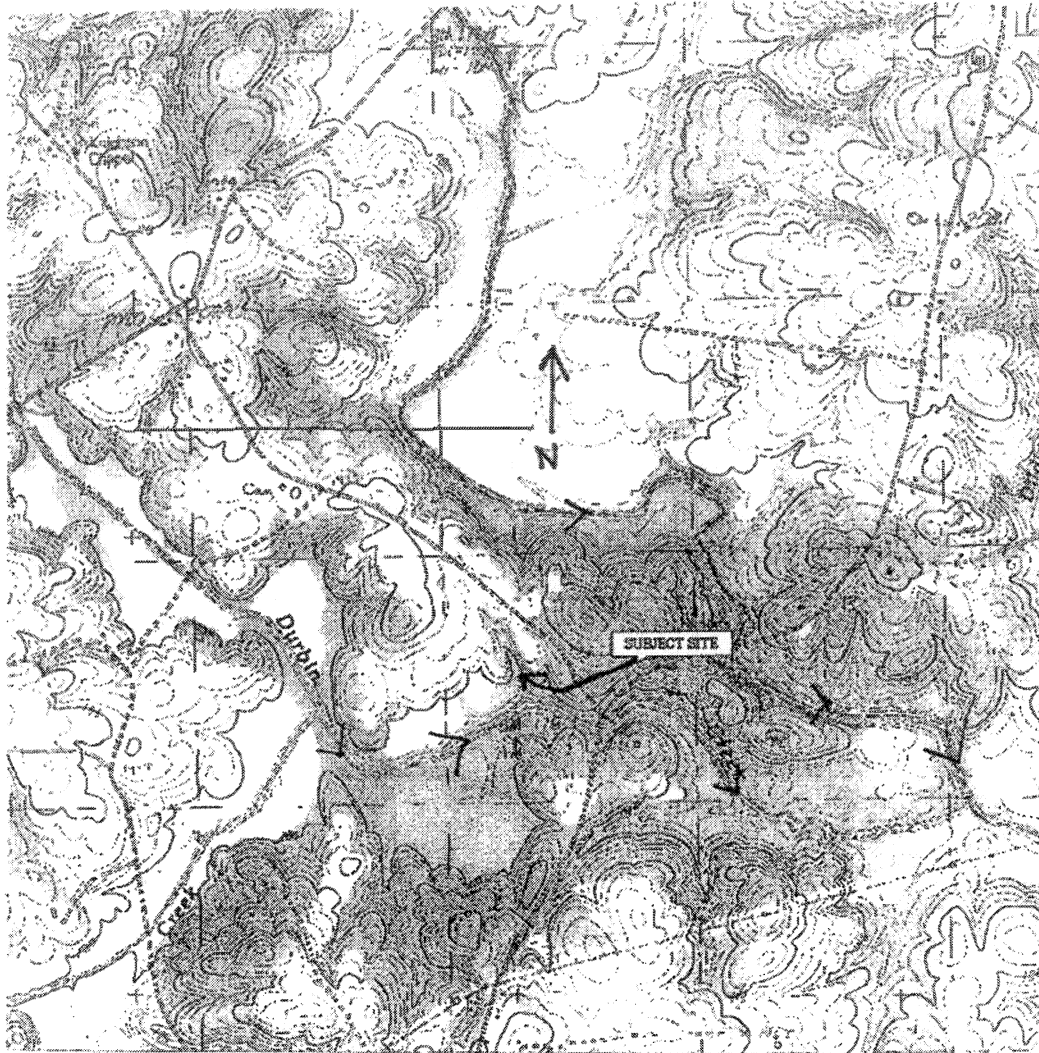
SHWS..... Site Assessment Section Project List

Revisions <table border="1"><thead><tr><th>Date</th><th>Initials</th></tr></thead><tbody><tr><td>9/20/06</td><td>RAJ</td></tr></tbody></table>		Date	Initials	9/20/06	RAJ	Project Title: Orbin Diamond	
		Date	Initials				
		9/20/06	RAJ				
		Project Location: Hwy 101, Laurens County					
Applicant: Richard A. Forman							
Date: August, 2005		Scale:					
Application #: 20055W358		Sheet of 1/13					



Project Title:		Durbin Diamond	
Project Location:		Hwy 101, Laurens County	
Applicant:		Richard A. Furman	
Date:		Aug. 2005	
Application #:		20055W358	
Scale:		Sheet of 2/3	

Revisions	
Date	Initials
9/20/06	RAF



SOURCE: USGS 7.5' QUADRANGLE MAP 1963, LAURENS, SC

ENVIROSOUTH
Environmental Consultants

SITE VICINITY MAP

283-ACRE TRACT
HIGHWAY 101 @ KNIGHTON CHAPEL ROAD
LAURENS COUNTY, SOUTH CAROLINA

JOB NO.: 1309	CHECKED BY: TFD	FIGURE: 1
SCALE: 1" = 2000'	DRAWN BY: AC	DATE: 7/18/05

Project Title:

Durbin Diamond

Project Location:

Hwy 101, Laurens County

Applicant:

Richard A. Furman

Revisions

Date	Initials
<i>9/26/06</i>	<i>RHF</i>

Date:

AUG, 2005

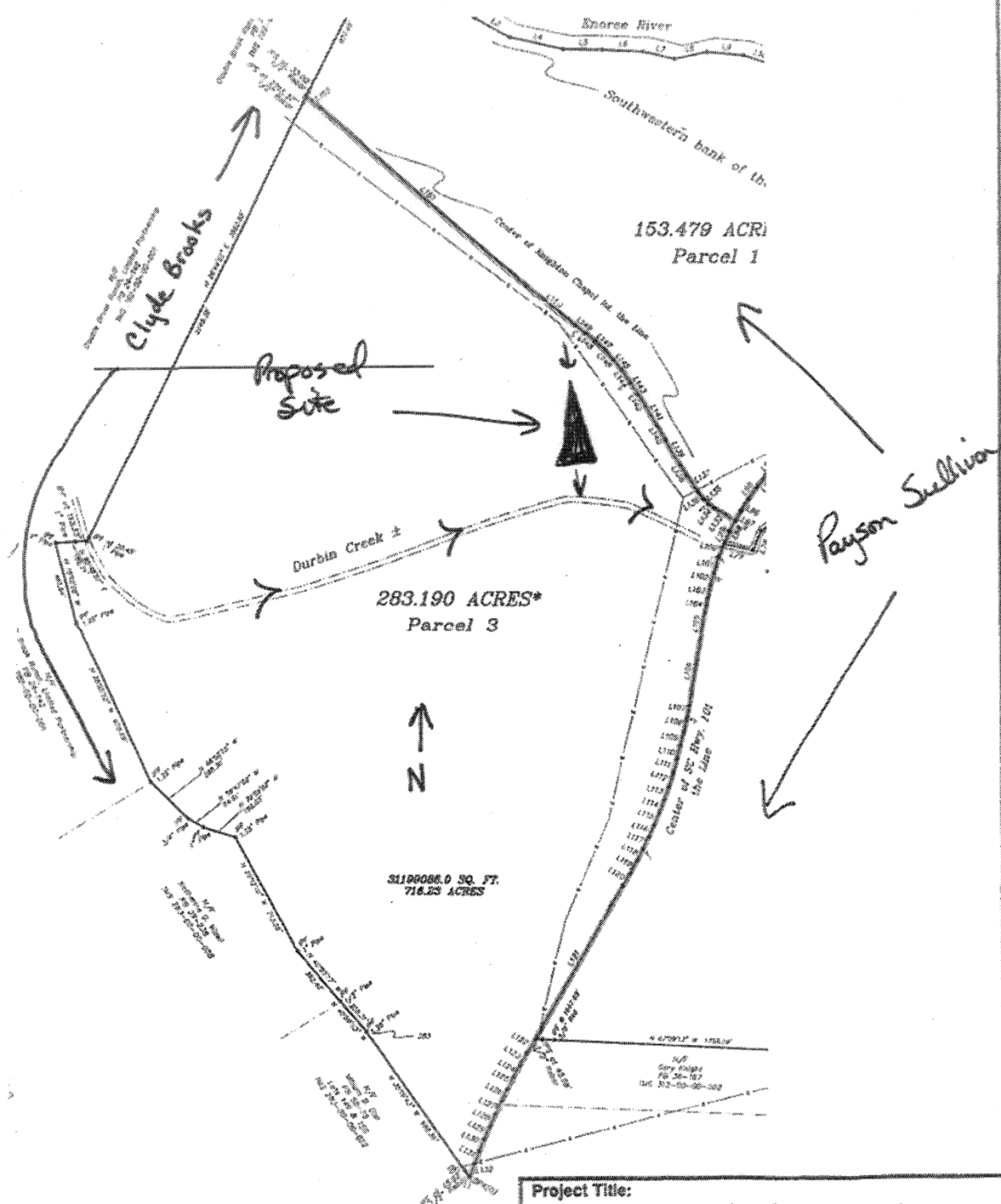
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Application #:

20055 W 358

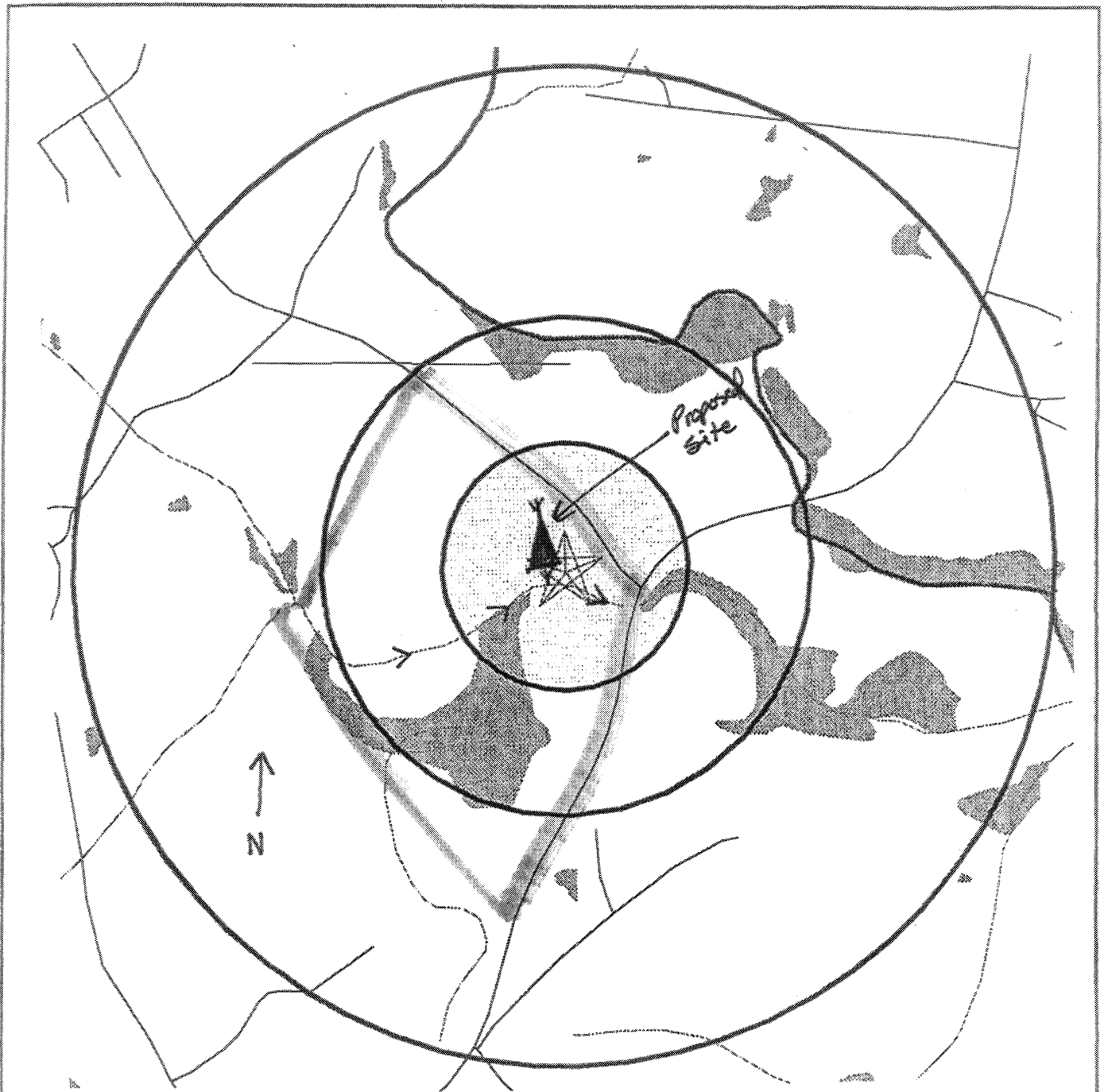
Sheet of

3/3



Project Title:		Durbin Diamond	
Project Location:		Hwy 101, Lawrence County	
Applicant:		Richard A. Furman	
Date:	Sept. 2004	Scale:	
Application #:	20055 W 358	Sheet of	4/13

Revisions	
Date	Initials
9/20/06	RMJ

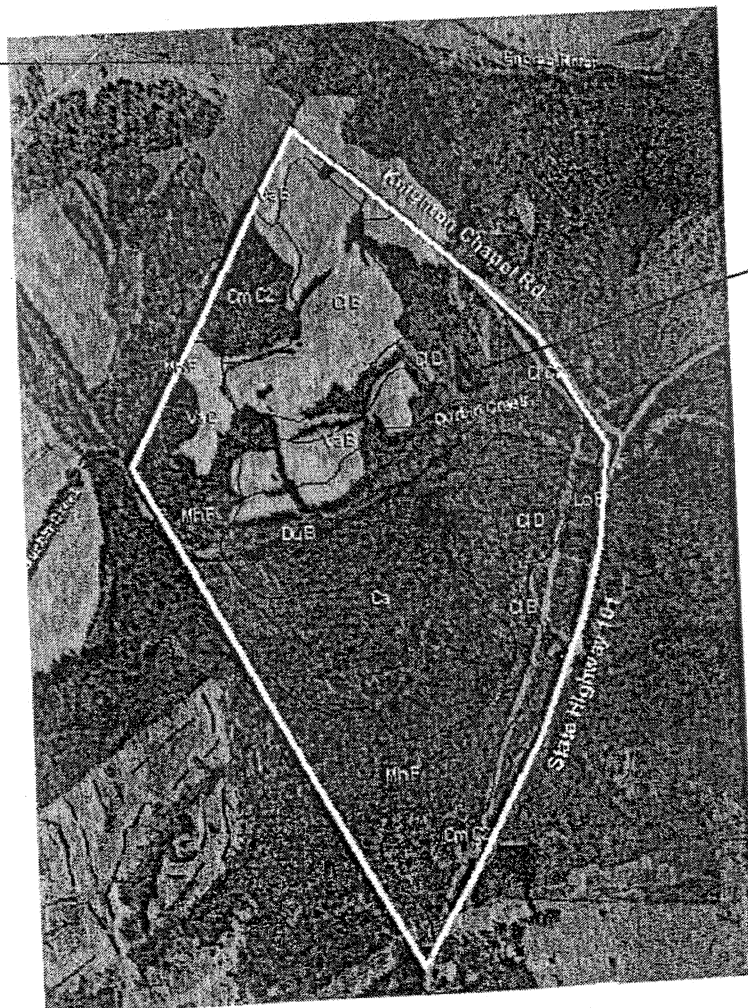


 Federal Wetlands

Project Title:		Durbin Diamond	
Project Location:		Hwy 101, Laurens County	
Applicant:		Richard H. Forman	
Date:	Aug. 2005	Scale:	
Application #:	20055W 358	Sheet of	6/3

Revisions	
Date	Initials
9/20/06	RHJ

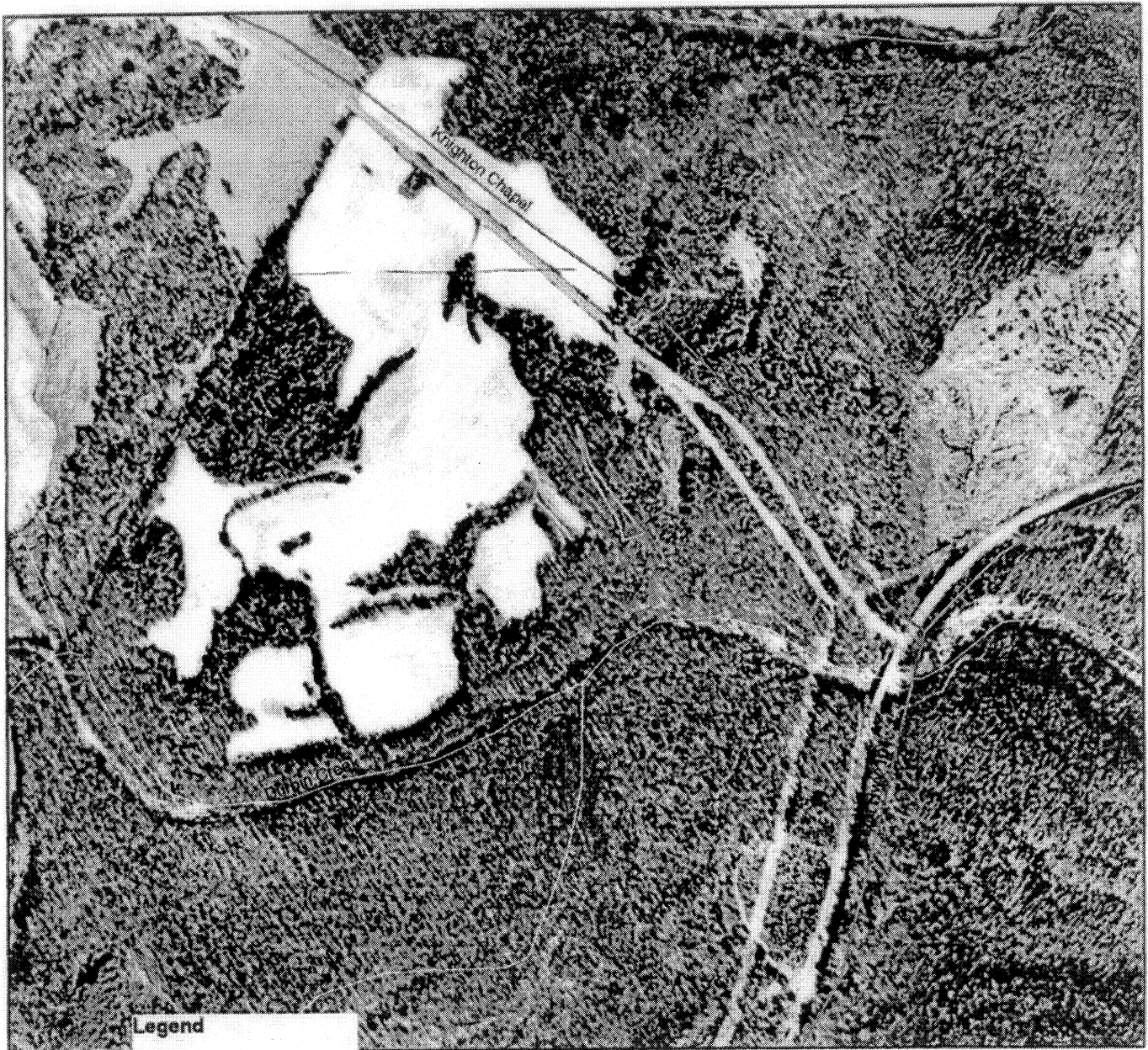
MUSYM	SLSNAME	SLSTYPE	SLOPE	ACREAGE	% of Total
Ca	CARTECAY-TOCCOA	COMPLEX		63.6	23.5%
CIB	CECIL	SANDY LOAM	2 TO 6	45.6	16.9%
CIC2	CECIL	SANDY LOAM	6 TO 10	3.4	1.3%
CID	CECIL	SANDY LOAM	10 TO 15	24.7	9.1%
CmC2	CECIL	SANDY CLAY LOAM	6 TO 10	24.7	9.1%
DuB	DURHAM	LOAMY SAND	2 TO 6	19.6	7.3%
LoF	LOUISBURG	LOAMY SAND	10 TO 15	1.9	0.7%
MhF	MADISON AND PACOLET	SOILS	15 TO 40	60.9	22.6%
VaB	VANCE	SANDY LOAM	2 TO 6	14.9	5.5%
VaC	VANCE	SANDY LOAM	6 TO 10	10.7	4.0%
Total Calculated Acres				269.9	100.0%



↑
N

Project Title:		Durbin Diamond	
Project Location:		Hwy 101, Laurens County	
Applicant:		Richard A. Forman	
Date:	Aug. 2005	Scale:	
Application #:	200554358	Sheet	7/13

Revisions	
Date	Initials
9/28/06	RUF



Legend

- Practices (points)
- Practices (lines)
- Practices (polygons)
- Consplan
- firmin pond
- streams83
- roads83

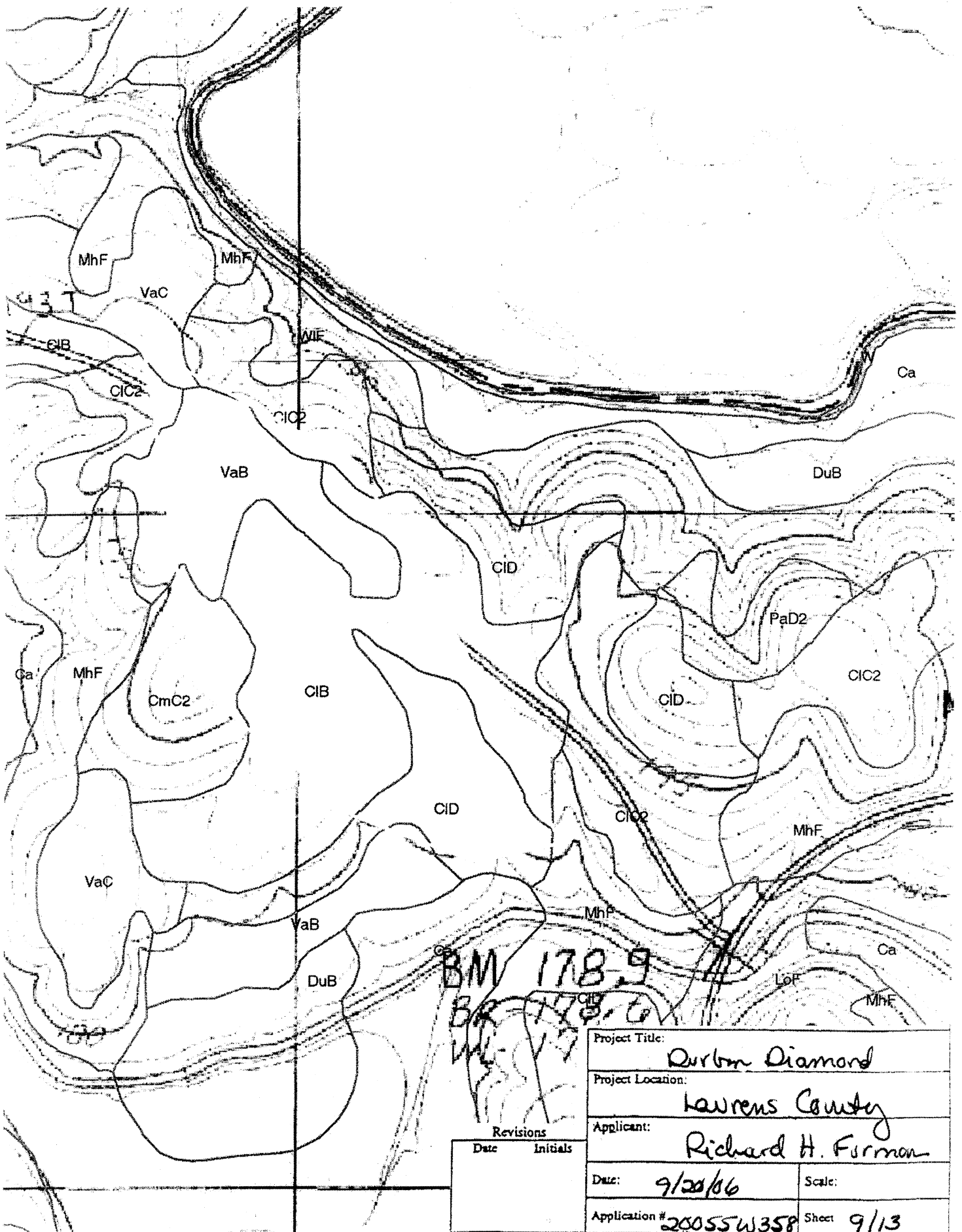


Image: woodruff_nw_99.sid

Revisions

Date	Initials
9/20/06	RLJ

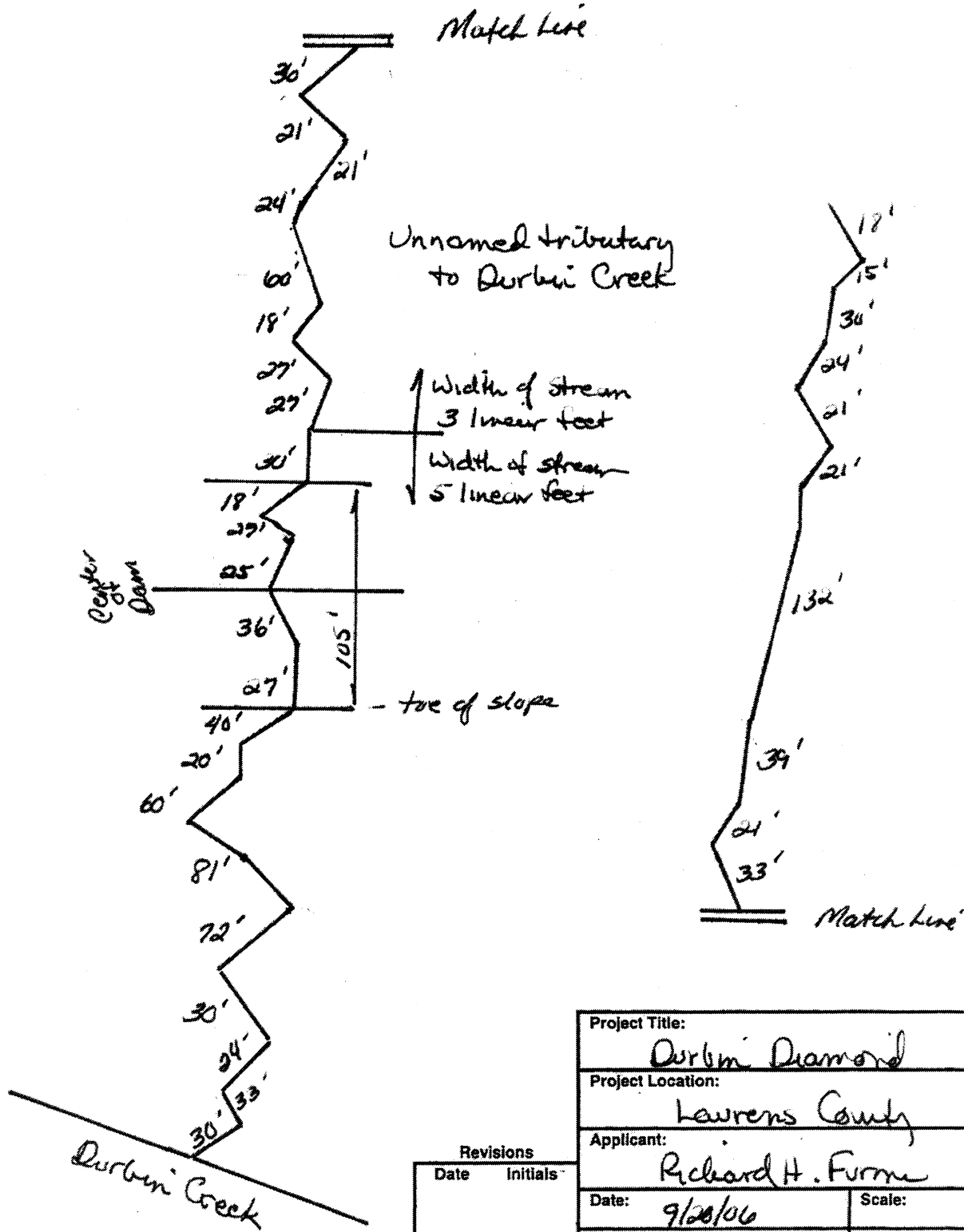
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Project Location:		Lawrence County	
Applicant:		Richard H. Furman	
Date:	9/20/06	Scale:	
Application #	20055W358	Sheet	8/13



BM 178.9
BR 178.6
WL 177

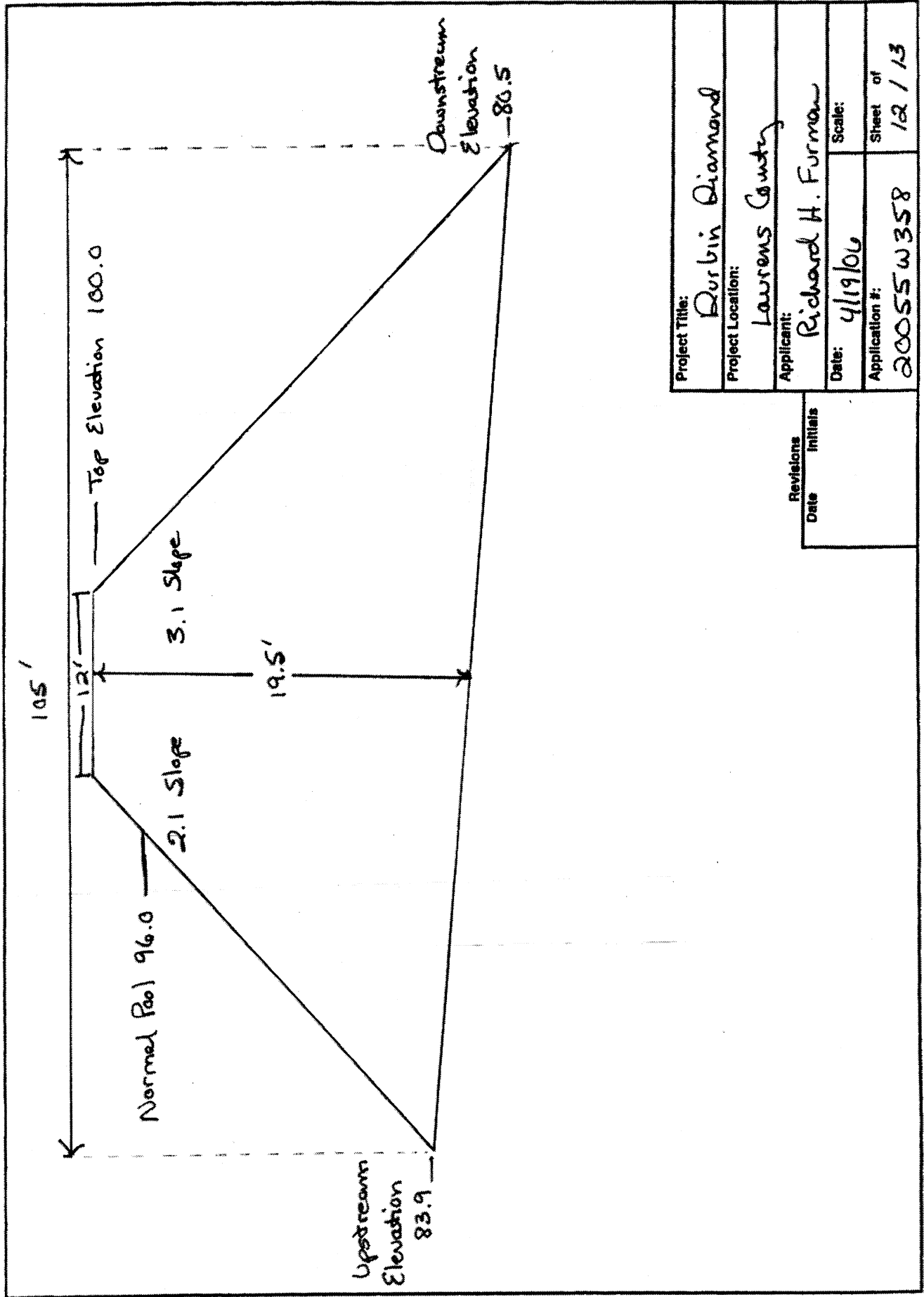
Revisions	
Date	Initials

Project Title: Durbin Diamond	
Project Location: Lawrens County	
Applicant: Richard H. Furman	
Date: 9/20/06	Scale:
Application # 20055W358	Sheet 9/13



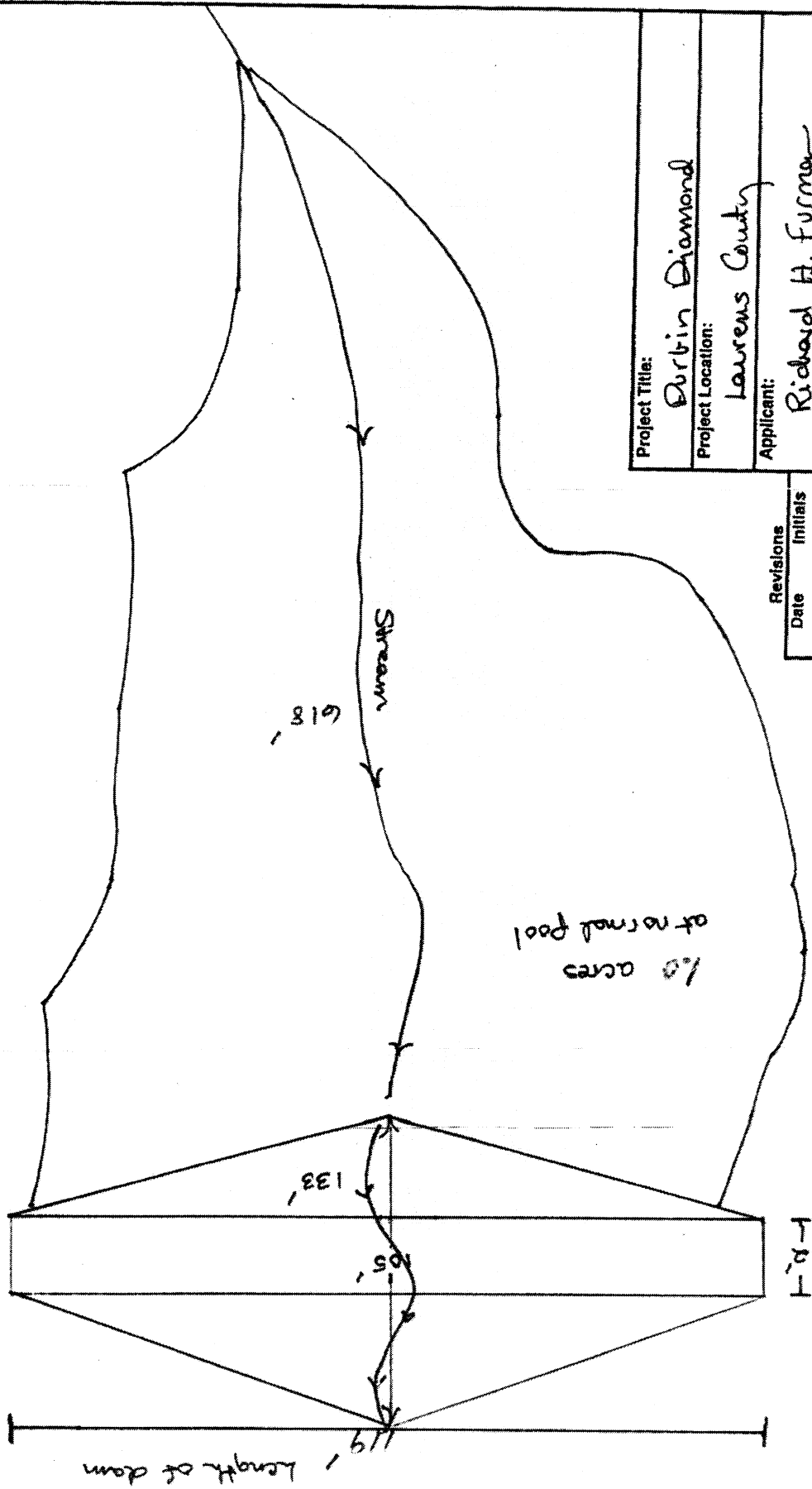
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Project Location:		Lawrens County	
Applicant:		Richard H. Furr	
Date:	9/20/06	Scale:	
Application #:	20055W358	Sheet of	10 / 13

Revisions	
Date	Initials



Project Title:	Durbin Diamond		
Project Location:	Lawrens County		
Applicant:	Richard H. Furman		
Date:	4/19/06	Scale:	
Application #:	20055W358	Sheet of	12 / 13

Revisions	
Date	Initials



Project Title: Durbin Diamond	
Project Location: Laurens County	
Applicant: Richard H. Furman	
Date: 4/19/06	Scale:
Application #: 0055W358	Sheet of 13 / 13

Revisions	
Date	Initials